

BENSALEM TOWNSHIP

Building and Planning Department
2400 Byberry Road • Bensalem PA 19020
215-633-3644 • FAX 215-633-3653

Exhibit Z-4

Zoning Hearing Board

Appeal Number: 2016-513

Township of Bensalem, Bucks County, Pennsylvania Notice of Appeal

Appeal is hereby made by the undersigned from the action of the Zoning Officer.

Check applicable item(s):

- ☐ Certification of Non-Conforming Use
- ☐ Application for Validity Challenge
- ☐ Administrative Officer in refusing my application for a building permit dated: _____
- ☐ Special Exception
- ☒ Variance from the terms of the Zoning Ordinance of the Township of Bensalem

RECEIVED

SEP 09 2016

BENSALEM TOWNSHIP
BUILDING AND PLANNING

Appellant Name: HARRY PATEL / NITA PATEL
Address: 1154 TENNIS AVE
BENSALEM PA 19020
Phone No. 267-393-5394

Owner's Name: HARRY PATEL
Address: 1154 TENNIS AVE
BENSALEM, PA 19020
Phone No. 267-393-5394

Attorney Name: _____
Address: _____
Phone No. _____

Interest of appellant, if not owners (agent, lessee, etc.):

1. Application relates to the following:

Check items if applicable:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Use | <input type="checkbox"/> Lot Area |
| <input checked="" type="checkbox"/> Height | <input type="checkbox"/> Yards |
| <input type="checkbox"/> Existing Building | <input type="checkbox"/> Proposed Building |
| <input checked="" type="checkbox"/> Occupancy | |
| <input type="checkbox"/> Other: (describe) _____ | |

2. Brief description of Real Estate affected:

Tax Parcel Number:

02-025-014

Location:

1154 TENNIS AVE

Lot Size:

39,437 sq. ft.

Present Use:

STORAGE, OFFICES

Proposed Use:

WAREHOUSE, OFFICES, 2 APTS.

Present Zoning Classification:

R2

Present Improvement upon Land:

N/A

Deed recorded at Doylestown in Deed Book

4/30/15

Page

3. If this is an appeal to challenge, provide statement and/or basis for challenge to the validity of the zoning ordinance.

PROPERTY WAS PURCHASED AS A COMMERCIAL PROPERTY, ONLY
REAL CHANGE IS 2ND FL APARTMENT IS BEING
MADE INTO TWO APARTMENTS

4. If this is an Appeal from action of the Zoning Administrative Officer then complete the following:

Date Determination was made:

Your statement of alleged error of Zoning Administrative Office:

5. Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired):

6. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):

MUCH EFFORT AND MONEY HAS BEEN SPENT TO PURCHASE THIS PROPERTY AND ALL WILL BE LOST IF WE CAN NOT USE SAID PROPERTY FOR THE BUSINESS WHICH IT WAS PURCHASED FOR

7. Reasons appellant believes board should approve desired action (refer to section or sections of ordinance under which it is felt that desired action may be allowed, and not whether hardship is (or is not) claimed, and the specific hardship.

BUILDING AS A WHOLE WILL REMAIN THE SAME, IT WAS A WAREHOUSE & GREENHOUSES FOR MANY YEARS. ONLY REAL CHANGES ARE 2ND FL APTS & TYPE OF BUSINESS IN WAREHOUSE

8. Has previous appeal or application for special exception or variance been filed in connection with these premises?

☐ YES ☒ NO

Specifications of errors must state separately the appellant's objections to the action of the zoning administrative office with respect to each question of law and fact which is sought to be reviewed.

I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

x [Signature]

Appellant's or Owner's Signature

04-14-2016

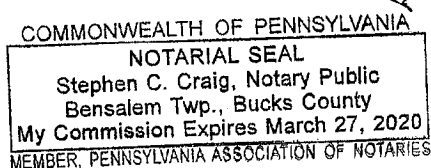
Date

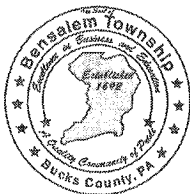
Sworn to and subscribed before me this

14 day of April 200 2016

Notary Public

My commission expires: [Signature]





BENSALEM TOWNSHIP

Building and Planning Department

Office 215-633-3644 • Fax 215-633-3753

Matthew K. Takita

Director of Building and Planning

2400 Byberry Road • Bensalem, PA 19020

March 15, 2016

Harry Patel
1154 Tennis Ave
Bensalem, PA 19020

Project:	WAREHOUSE, OFFICES, APARTMENTS & GREEN HOUSES
Project Address:	1154 TENNIS AVE Bensalem Pa. 19020
Tax Parcel:	02-025-014
Property Owner:	SAME AS ADDRESSED
Permit Status:	APPLICATION DENIED

Dear Sir/Madam:

A review was conducted on the application for the referenced project pursuant to the *Code of the Township of Bensalem*, Chapter 232 ZONING. Please be advised the application submitted for the above captioned project has been rejected due to the following reason(s):

- **The proposed use of the subject property as apartments, warehouse, and offices is not permitted in an R-2 district [Section 232-166]**

This letter shall serve as formal notice that your permit application has been rejected for said project until such time as the requested information has been provided.

You have the right to appeal this rejection letter. Applications for appeals to the Zoning Hearing Board can be obtained at the Building and Planning Department located in the Municipal Building at 2400 Byberry Road, Bensalem.

Respectfully,

Matthew K. Takita, A.I.A., M.C.P.
Director of Building and Planning
215-633-3643

vraiconstructionpa@gmail.com
email address

MKT/lva

Enclosures

VRAJ CONSTRUCTION LLC

1154 Tennis Ave.
Bensalem, PA 19020

MARCH 31, 2016

RE: 1154 Tennis Ave
Parcel # 02-025-014

To the Bensalem Zoning Board

The above property was listed on the Multiple Listing Service (exhibit A), when for sale, as a commercial building. Even after title of property was transferred it is still listed as commercial (exhibit B). The property was in use commercially as a greenhouse/flower, known as Penn State Gardens for over 20 years. That business consisted of a warehouse building with 2 offices and a bathroom on the first floor with a one family apartment on the second floor. It also consisted of three (3) greenhouses and two (2) attached trailers. Although the MLS listing also states that property is zoned R2, we as buyers would not know that means anything other than commercial unless the realtor states so.

Zoning was rejected on March 15, 2016 due to Chapter/section 232-166. If this is the case then how was there a different business then described in the above Chapter, performing for so many years at this location?

So to the point at hand. The only changes we are making to the property as a whole are to clean out all rubbish, take down all dilapidated greenhouses, and convert the one (1) four (4) bedroom apartment into two (2) one (1) bedroom apartments. A fence with permit (exhibit C) was already constructed at the request of the neighbors and Township. We purchased this building as a home for our business and were quite excited that we finally found a place we loved.

1154 Tennis Ave.
Bensalem, Pa 19020
USA

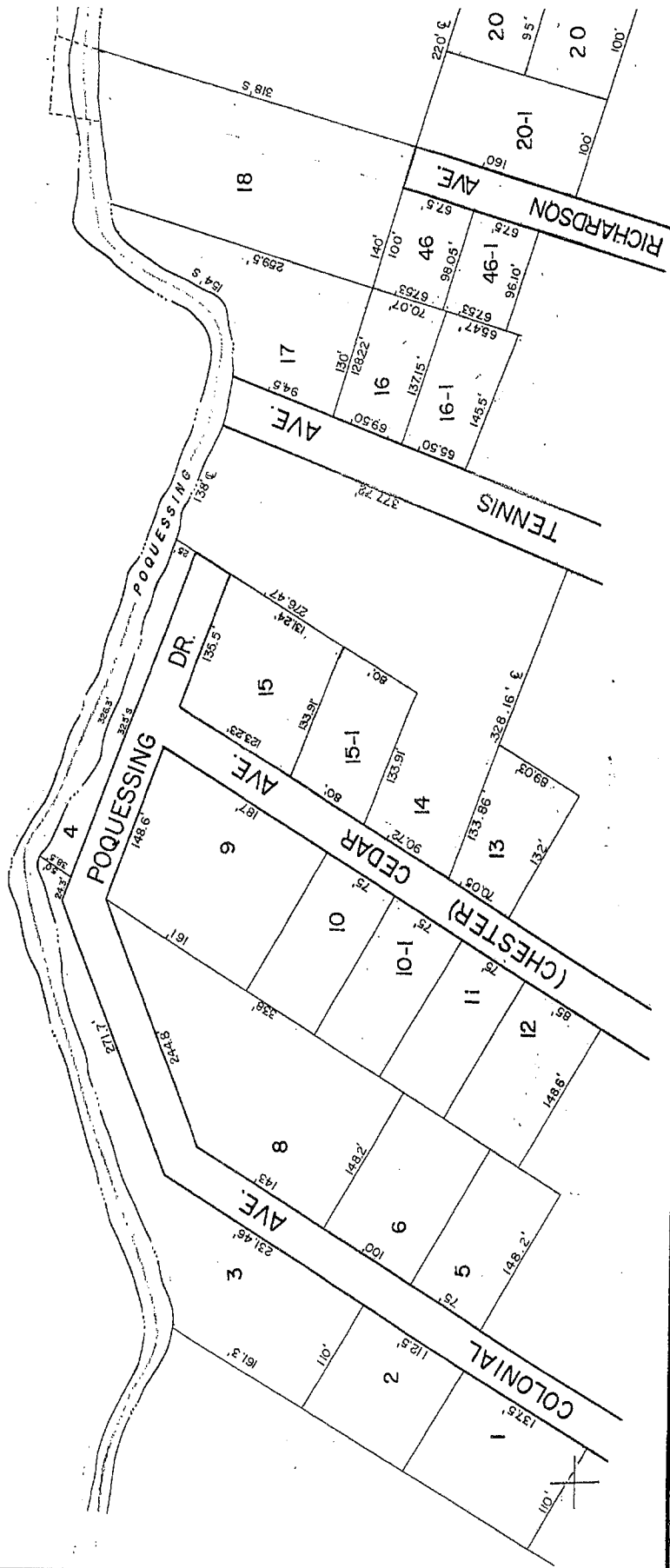
PHONE 215-638-2275
FAX 215-638-2275
EMAIL Vrajconstructionpa@gmail.com

I am a simple business man trying to make a living. This location is perfect for my business and has already cost a great deal of monies. I am open to all neighbors requests and concerns and have spoken to the few who were approachable. I am in desperate need of this zoning or I will lose everything that I have worked for the past 10 years.

We would greatly appreciate the reconsideration of zoning/permits for this upgrade to the community and we will work very hard to make all the neighbors happy.

Thank you,

Harry Patel
267-353-9354



COMPILED BY AERO SERVICE CORPORATION - PHILADELPHIA, PENNSYLVANIA



BENSALEM TOWNSHIP

2400 Byberry Rd • Bensalem PA 19020

CALL 215-633-3644 FOR INSPECTIONS

EXHIBIT C

CONSTRUCTION PERMIT

PURSUANT TO THE CODE of THE TOWNSHIP of BENSALEM CHAPTER 232 ZONING and
PENNSYLVANIA UNIFORM CONSTRUCTION CODE, ACT NUMBER 45

Permit Number: 2016-00000005

Description of Work:

Issue Date: 3/14/2016

FENCE

Site Location: 1154 TENNIS AVE

Owner: VRAJ CONSTRUCTION LLC

Tax Parcel No.: 02025014

SCOPE OF WORK INCLUDES THE FOLLOWING PERMITS:

FENCE

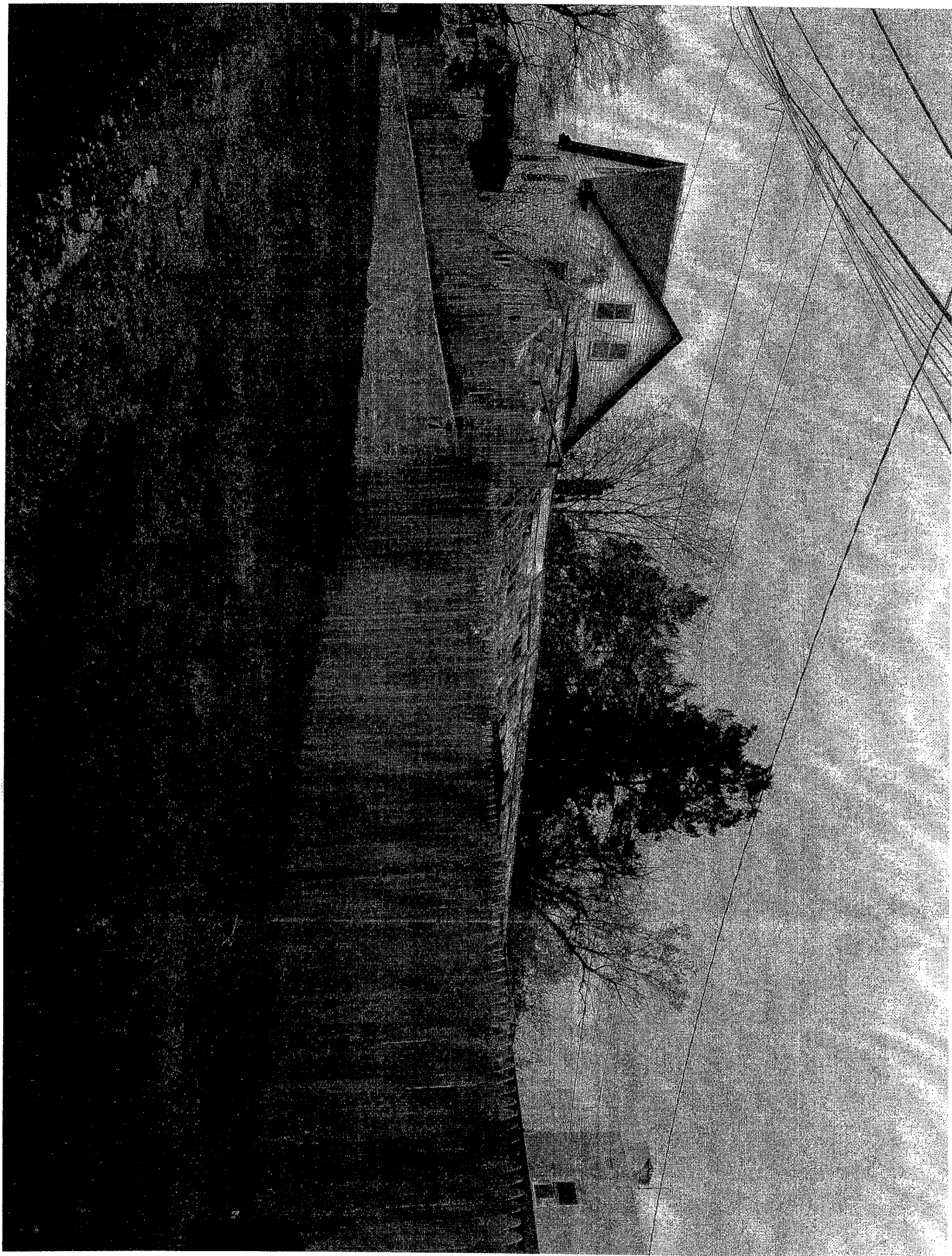
Matthew K. Takita

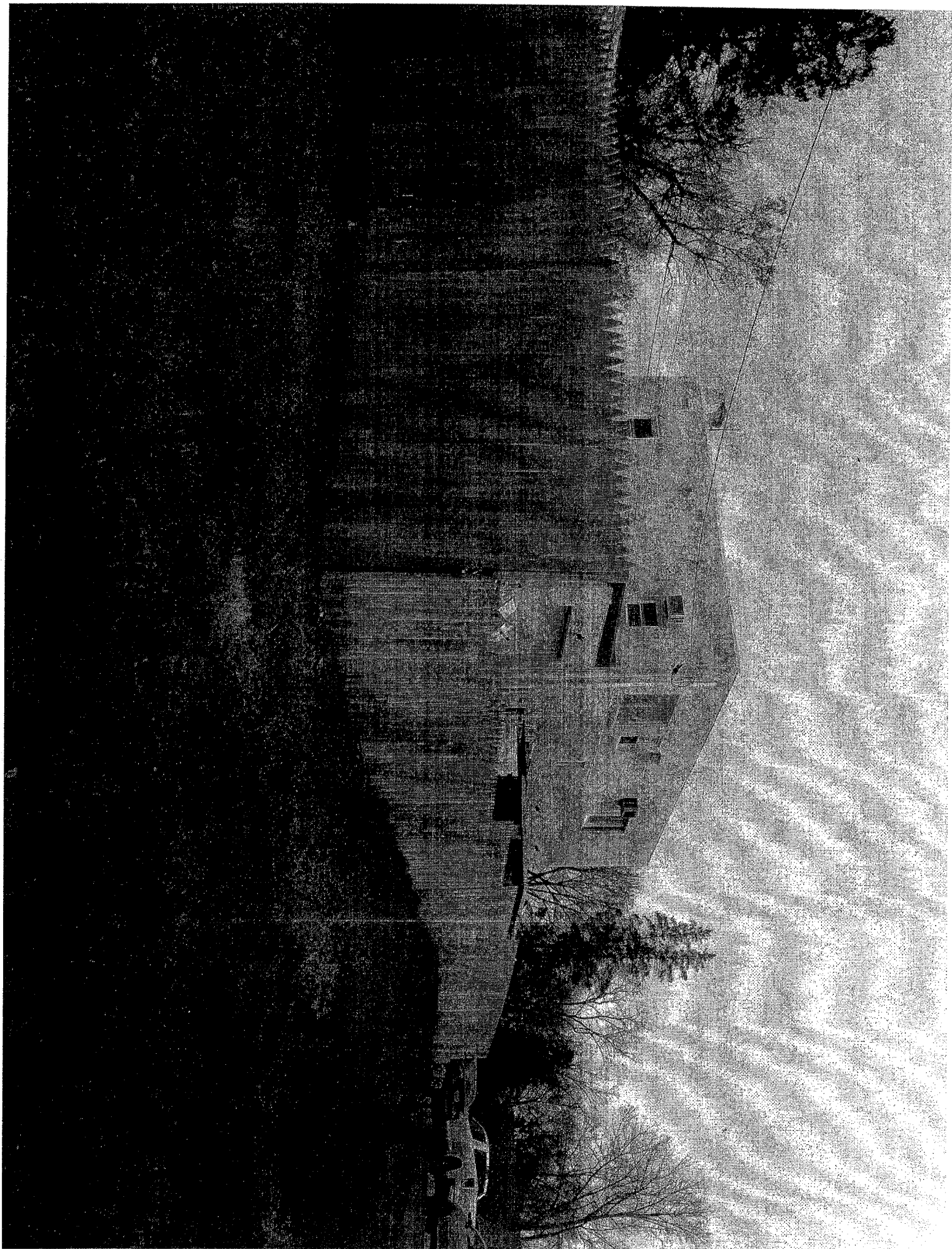
Director of Building & Planning

APPROVED PLANS AND PAPERWORK MUST BE RETAINED ON THE JOB AND THIS PLACARD MUST BE KEPT POSTED UNTIL FINAL INSPECTIONS HAVE BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTIONS HAVE BEEN MADE.

THIS PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK HAS NOT COMMENCED SIX MONTHS FROM THE DATE THIS PERMIT IS ISSUED AS NOTED ABOVE.

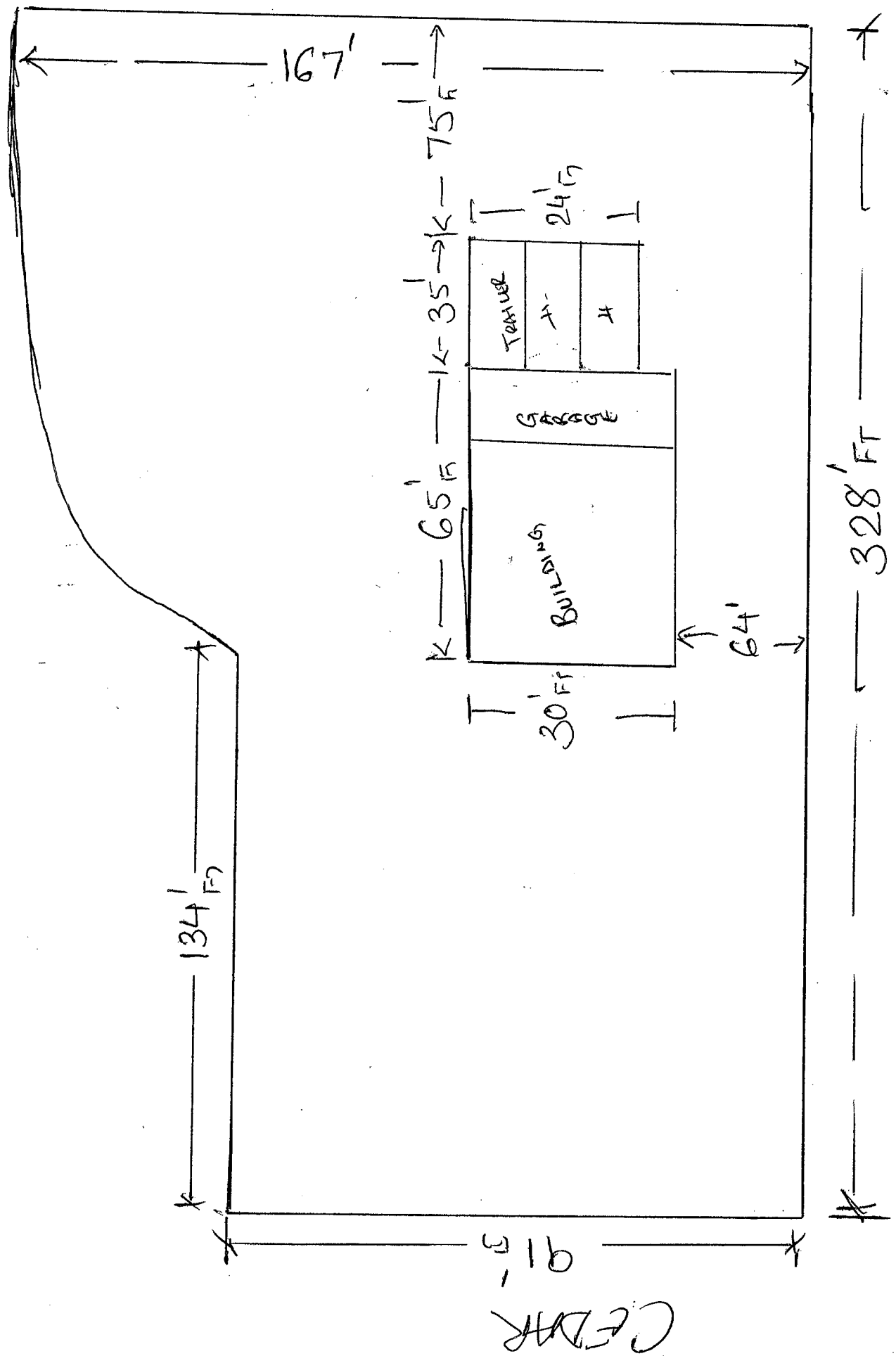
POST THIS CARD SO IT IS VISIBLE FROM THE STREET



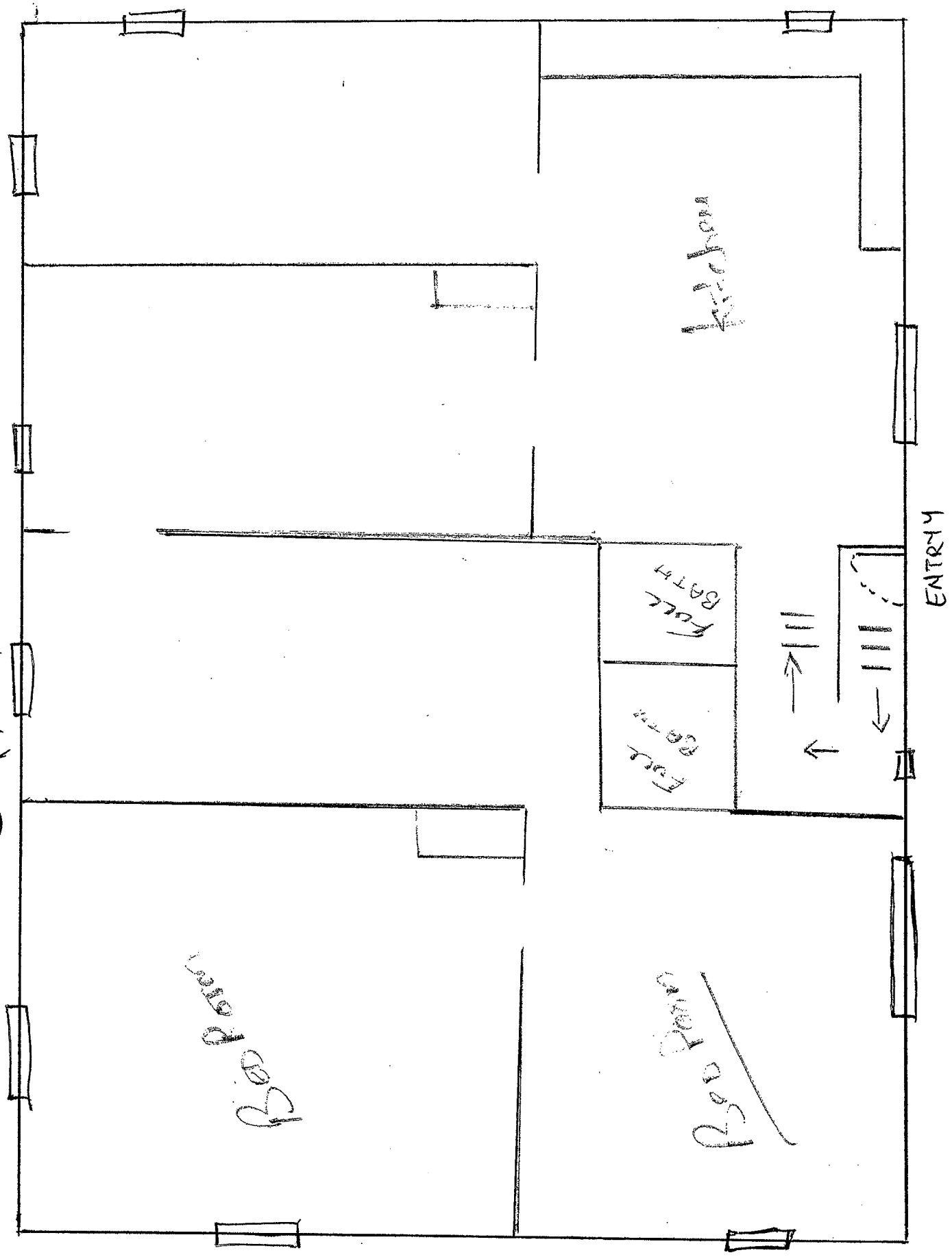


1154 TENNIS AVE

TENNIS AVE



Ⓐ 1154 TENNIS AVE ORIGINAL LAY OUT



1- 1154 TENS ARE

